

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA**

In Re:	)	
	)	
KENNETH RUSSELL CHEEK	)	Chapter 7
	)	Case No. 18-13446-SDR
	)	
Debtor.	)	
	)	
	)	
KENNETH RUSSELL CHEEK	)	
	)	
Plaintiffs	)	
	)	
Vs.	)	Adversary Proceeding #18-01048-SDR
	)	
FIRST CITIZENS BANCSHARES, INC.	)	
d/b/a FIRST CITIZENS NATIONAL BANK	)	
	)	

**SUMMONS IN AN ADVERSARY PROCEEDING**

**YOU ARE SUMMONED** and required to submit a motion or answer to the complaint which is attached to this summons to the clerk of the bankruptcy court within thirty (30) days after the date of issuance of this summons, except that the United states and its offices and agencies shall submit a motion or answer to the complaint within thirty-five (35) days.

Address of Clerk:

United States Bankruptcy Court  
31 East 11th Street  
Chattanooga, TN 37402

At the same time, you must also serve a copy of the motion or answer upon the plaintiff's attorney:

Plaintiff's Attorney:

Rodney Craig Miller, Esquire  
Law Offices of Rod Miller, P.C.  
301 Keith Street, SW, Suite 103  
Cleveland, TN 37311

If you make a motion, your time to answer is governed by Fed. R. Bankr. P. 7012.

**IF YOU FAIL TO RESPOND TO THIS SUMMONS, YOUR FAILURE WILL BE DEEMED TO BE YOUR CONSENT TO ENTRY OF A JUDGMENT BY THE BANKRUPTCY COURT AND JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT.**

/s/ \_\_\_\_\_  
Clerk of the Bankruptcy Court

\_\_\_\_\_  
Date

By: /s/ \_\_\_\_\_  
Deputy Clerk

**CERTIFICATE OF SERVICE**

I, Rodney Craig Miller, certify that I am, and at all times during the service process was, not less than 18 years of age and not a party to the matter concerning which service of process was made. I further certify that the service of this summons and a copy of the complaint was made this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_ by:

Mail Service: Certified, return receipt, first class United States mail, postage fully pre-paid, addressed to:

**Jeff Agee**  
**Registered Agent for First Citizens Bancshares, Inc. d/b/a First Citizens National Bank**  
**1 First Citizens Place**  
**Dyersburg, TN 38024-4643**

Personal Service: By leaving the process with defendant or with an officer or agent of defendant at:

Residence Service: By leaving the process with the following adult at:

Certified Mail Service on an Insured Depository Institution: By sending the process by certified mail addressed to the following officer of the defendant at:

Publication: The defendant was served as follows: (Describe briefly)

State Law: The defendant was served pursuant to the laws of the State of Tennessee.

Under penalty of perjury, I declare that the foregoing is true and correct.

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Date

/s/

Rodney Craig Miller, Esquire  
Law Offices of Rod Miller, PC  
301 Keith Street, SW, Suite 103  
Cleveland, TN 37311  
(423) 650-7066